

RECEIVED
CENTRAL FAX CENTER

NOV 01 2004

NORTH AMERICA
INTERNATIONAL PATENT OFFICE

P.O. BOX 506, Merrifield, VA 22116, U.S.A.

TEL:+886-2-8923-7350 FAX:806-498-6673 e-mail:winstonhsu@naipo.com

FAX TO: ART UNIT: 2681

Tel.: (703) 305-4778

Fax: (703) 872-9306

FROM: Winston Hsu, PATENT AGENT, REG. NO.: 41,526

SERIAL NO.: 10/707,563

ATTORNEY DOCKET NO.: ACMP0035USA

SUBJECT: INFORMATION DISCLOSURE STATEMENT

TOTAL PAGES: 24 PAGES (INCLUDING COVER PAGE)

Winston Hsu 2004/11/01

ACMP0035USA0_D1_1

PTO/SB/97 (09-04)

Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on 11/01/2004
Date

Celia Hsieh
Signature

Celia Hsieh

Typed or printed name of person signing Certificate

886-2-8923-7350

Registration Number, if applicable

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

(1) Transmittal Form	1 PAGE
(2) Fee Transmittal	1 PAGE
(3) Information Disclosure Statement	20 PAGES

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/707,563	
	Filing Date	12/22/2003	
	First Named Inventor	Tzeng-Chih Chiou	
	Art Unit	2681	
	Examiner Name		
Total Number of Pages in This Submission	22	Attorney Docket Number	ACMP0035USA

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	North America Intellectual Property Corporation		
Signature	<i>Winston Hsu</i>		
Printed name	Winston Hsu		
Date	OCT 28 2004	Reg. No.	41,526

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature		
Typed or printed name		Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/17 (10-04)

Approved for use through 07/31/2008, OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 0.00

Complete if Known

Application Number 10/707,563
 Filing Date 12/22/2003
 First Named Inventor Tzeng-Chih Chiou
 Examiner Name
 Art Unit 2681
 Attorney Docket No. ACPM0035USA

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:

Deposit Account Number 50-3105
 Deposit Account Name North America Intellectual Property Corp.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$) 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims - 20** = X =
 Independent Claims - 3** = X =
 Multiple Dependent =

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 88	2201 44	Independent claims in excess of 3
1203 300	2203 150	Multiple dependent claim, if not paid
1204 88	2204 44	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 430	2252 215	Extension for reply within second month	
1253 980	2253 490	Extension for reply within third month	
1254 1,530	2254 765	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 490	2502 245	Design issue fee	
1503 680	2503 330	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0.00

SUBMITTED BY

Name (Print/Type) Winston Hsu Registration No. 41,526 Telephone 886-2-89237350
 Signature *Winston Hsu* (Attorney/Agent) Date OCT 28 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/08B (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known	
		Application Number	10/707,563
		Filing Date	12/22/2003
		First Named Inventor	Tzeng-Chih Chiou
		Art Unit	2681
		Examiner Name	
Sheet 1	of 1	Attorney Docket Number	ACMP0035USA

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1	http://www.eprice.com.tw/mobile/phone/?prod id=71&data=true	+
	2	http://life.nthu.edu.tw/~rrandd/90s1/b881618/menu/mobil/nokia.htm	+
	3	http://www.eprice.com.tw/news/?news id=6 , http://www.eprice.com.tw/mobile/phone/?prod id=33	+

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

RECEIVED
CENTRAL FAX CENTER
NOV 01 2004 **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tzeng-Chih Chiou

5 Filing Date: 12/22/2003

Art Unit: 2681

Serial No.: 10/707,563

Docket No.: ACMP0035USA

10 Title: MOBILE PHONE FOR INFORMING USERS OF RADIATION POWER
LEVELS

To: The Commissioner of Patents
P.O. BOX 1450
Alexandria, VA 22313-1450

15

Subject: Information disclosure statement Under
37C.F.R.§1.56.

Dear Sir:

20

This is an Information Disclosure Statement in accordance with
the duty to disclose information material to patentability under
37 C.F.R. §1.56. Applicant wishes to make of record the
documents listed on the accompanying form PTO/SB/08. It is
25 respectfully requested that the examiner initials the cited
references on the form and that it be made of record in the
application and that a copy of the initialed form be sent to
the applicant with the next communication from the examiner.
Since the IDS is filed before the mailing date of a first Office
30 action on the merits, consideration of the information
disclosure statement is hereby requested according to
37C.F.R.§1.97(b).

The prior art website documents were cited in communications
35 from the Taiwan Intellectual Property Office on Aug.5, 2004.

They were downloaded from the following websites:

http://www.eprice.com.tw/mobile/phone/?prod_id=71&data=true

<http://life.nthu.edu.tw/~rrand/90sl/b881618/menu/mobil/nokia.htm>

- 5 http://www.eprice.com.tw/news/?news_id=6, http://www.eprice.com.tw/mobile/phone/?prod_id=33

10 The website documents are submitted with the IDS. Applicant sincerely hopes that the examiner can consider the website documents disclosed in the information disclosure statement. Although the second website can no longer be linked to the document cited by the Taiwanese examiner, the document is still submitted with the IDS.

15 The first website document teaches a NOKIA 6150 cellular phone. According to the first website document, NOKIA 6150 is released in 1998. It has a tested specific absorption rate (SAR) of 0.69W/kg.

20 The second website document teaches that upon entering the Net monitor, NOKIA 6150 can measure and display its radiation power level between the range of level 1 and level 19. The Net monitor is a software indicator for displaying certain information such as radiation power level when nothing else appears on the screen.

25 That is, the Net monitor can display information only when the screen of the mobile phone doesn't need to display any other functionality. For example, when dialing the phone, the Net monitor will automatically disappear because the screen will display other information. The Net monitor will reappear on the screen when the phone call is terminated.

35 The third website document discloses a MOTOROLA V8088 cellular phone. MOTOROLA V8088 will emit a warning signal when the battery power level is below a threshold. Further when receiving an incoming call, a light source with selectable color will flash to warn the user.

A comparison of the cited art and claim 1 of the present application is described hereinafter. Claim 1 is repeated below:

5

1. A mobile phone comprising:

a processor for controlling operations of the mobile phone;

10 a power modulating module for controlling a power level of a communication signal so as to generate a corresponding transmission signal;

15 a power measuring circuit electrically connected to the power modulating module for measuring a power level of the transmission signal so as to generate a corresponding result;

an antenna electrically connected to the power measuring circuit for generating a corresponding alarming signal according to the result; and

20 an alarming module electrically connected to the alarm processing module for generating a corresponding sign according to the alarming signal for indicating the power level of the transmission signal.

25 It is clear that the mobile phone in claim 1 of the present application comprises an alarming module for generating a corresponding sign according to the alarming signal for indicating the power level of the transmission signal. Therefore, the user will be warned when the radiation power of
30 the mobile phone is beyond a dangerous level to avoid possible health injury.

However, none of the prior art web documents teaches any method or device to warn the user that the radiation power of the mobile

phone has reached a dangerous level. Although Net monitor in the second website can display radiation power level, it fails to deliver a warning signal when the radiation power level is too high. Further the Net monitor cannot display information during a phone call. In other words, when a user is having a conversation over the phone, the Net monitor automatically stops displaying information on the screen. Therefore the user cannot check the power level during the phone call. And that's the time the user's health is exposed to danger.

Although the third website MOTOROLA V8088 will emit a warning signal when the battery power level is below a threshold, and will flash its light source when receiving an incoming call, MOTOROLA V8088 has not taught or disclosed any means for warning a user when the radiation power level is too high. Since none of the cited reference teaches or suggests warning a user when the radiation power level reaches a dangerous level, Claim 1 of the present application is not obvious over the website documents.

Further Claims 2-15 are dependent on Claim 1, Claims 2-15 are not obvious over the website documents if Claim 1 is not.

25

Respectfully Submitted,

5 Winston Hsu

Date: OCT 28 2004

Winston Hsu, Patent Agent No. 41,526

P.O. BOX 506

Merrifield, VA 22116

U.S.A.

10 Facsimile: 806-498-6673

e-mail : winstonhsu@naipo.com

(Please contact me by e-mail if you need a telephone communication and I will return your call promptly.)